Rs. 15—perhaps. And what is that for a man drawing Rs. 800 to throw away for the welfare of his land for the poor of his land. Similarly every merchant employing labourers should be made to give that quarter anna and these amounts will go to make a specific fund, a welfare fund, from which the aged, the widow and the orphan should be provided. His Highness the Maharaja himself will contribute, I am sure, more than a quarter of an anna. Every labourer getting one rupee must be compelled to pay this quarter anna into this fund whether his widow derives the benefit or not. This will be a fund for the welfare of the people, from which, for the needy, provision can be made. Sir, it is not a Utopian proposition that I have brought. It is the solitary remedy for the great poor of the land and I don't want to say more about it.

**Mr. A. Eachara Menon** *(Chittur-Rural)*: You go scotch free.

**Mr. A. B. Salem** *(Mattancheri)*: No. We must also pay according to our income. We are paying professional tax to the Municipality and that should be made the basis for calculeting the amount to be paid. Tomorrow your wife and my wife may not come to that stage to get a pension from that fund. It is the country's money. The Government must look after it and Government will look after it and it is only a piece of legislation that has to be made. It is existing elsewhere. It has relieved distress elsewhere. Why should it not relieve distress in our own country? We find 21 million pounds for extra clothes budgetted in the House of Commons for the aged and the widow and the orphan for winter months. That enormous amount is spent during this war time. Government will have in its Treasury money flowing from all parts of the country, if my scheme is adopted. The Government will also have some advantages. They can utilise that money for cottage industries. They can use it for commerce and get the profit. This profit the Government can take and use for general administration purposes. If voluntarily people will give they get the credit. If not compulsion by legislation must be resorted to. It is the duty of the well-to-do people to support these ill-to-do people and that duty if we do not voluntarily discharge we must be compelled to discharge and there is nothing wrong in it. Poor Houses are being established. My Hon'ble, Mr. Warriar, went to Kottayam to study the working of Poor Houses. Poor Houses have been established in Ernakulam. I don't know whether they are working. I heard that it has been made into a prison now. Any way this kind of half measures will not do. They only scrap the surface. We want a complete tackling of the question. Nothing but a bold tackling will solve the problem. I therefore commend this motion for the acceptance of the House and come to the help of the widow, the aged and the orphans. Not all widows, aged and orphans but only absolutely needy one. With these few words I commend this proposition for the acceptance of this house.

**Rama Varmha Tampuran** *(Secretary to Government)*: Sir, The Government are at one with the Hon'ble Member in the point covered by this motion. There is no doubt that the Government are as anxious as any other person in this House to see that everything possible is done to relieve the distress amongst the aged, the poor, the orphan, and the widow and it is really in pursuance of that ideal that the Government have worked out so many schemes. The great personal interest that the Diwan and His Highness are taking in this large question is really very great. Therefore, there is no doubt that the Government are completely at one with the Hon'ble Member. It would have been much better if this had been moved as a resolution rather than as a cut motion. That is the only remark that I have to make on this Motion. I may assure the Hon'ble Member that the Government are doing everything possible to achieve this object.

**Mr. A. B. Salem** *(Mattancheri)*: I don't wish to press the motion, Sir.

*Motion by leave withdrawn*

## CUT MOTION No. 6

### Disirability of lifting the ban on processions

**Mr. C. K. S. Moni** *(Nominated)*: Sir, I rise to move *to reduce the allotment of Rs. 73,125 for Huzur Secretariat-Establishment by Re. 1.* The object of my motion is *to bring to the notice of the Government the desirability of lifting the ban on processions in Cochin State.*

എന്റെ ഈ ഉപക്ഷേപത്തിന്റെ ഉദ്ദേശം കൊച്ചിയിൽ ഘോഷയാത്രകളെ നിരോധിച്ചുകൊണ്ടുള്ള ഉത്തരവിനെ പിൻവലിക്കണമെന്നുള്ളതാണു്. പോലീസ്സു് സ്റ്റേഷനിലെ ഇടനാണു് ഈ ഉത്തരവു് ഇവിടെ ഉണ്ടായിട്ടുള്ളതു്. അന്നത്തെ സാഹചര്യങ്ങളിൽ ആവശ്യമായിരുന്നുവെങ്കിൽ ഇന്നതിന്റെ ആവശ്യം കാണുന്നില്ല. കൊച്ചിയിലെ ജനങ്ങൾ വിദ്യാഭ്യാസത്തിലും സംസ്കാരത്തിലും ഏറ്റവും മുന്നണിയിൽ നില്ക്കുന്നവരാണെന്നു് എല്ലാവരും സമ്മതിക്കുന്ന ഒരു വാസ്തവമാണു്. മറ്റൊരു നാട്ടുരാജ്യങ്ങളിലും അനുവദിക്കാത്ത ഉത്തരവാദിത്വഭരണവും ഭരിക്കുവാനുള്ള ശേഷിയും ഉള്ള ഈ കൊച്ചി രാജ്യത്തു് ഇപ്രകാരം ഒരു നിരോ

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ധന ഉത്തരവു വെച്ചുകൊണ്ടിരിക്കുന്നതു് ജനങ്ങൾക്കും ഗവൺമെണ്ടിനും അഭിമാനമില്ലാത്തതാണു്. ഈ ഉത്തരവു് പിൻവലിക്കാത്ത കാലത്തോളം കൊച്ചിയിൽ പൌരസ്വാതന്ത്ര്യമില്ലെന്നു് ആരെങ്കിലും പറയുന്നുണ്ടെങ്കിൽ അതു് വാസ്തവം തന്നെയാണു്.

മറെറാരു സംഗതി എനിക്കു പറവാനുള്ളതു് ഇന്നത്തെ അടിയന്തിരനിലയെപ്പററിയാണു്. നമ്മൾ ഒരു മഹാവിപത്തിൽനിന്നു തരണംചെയ്യുവാൻവേണ്ടിയുള്ള മാർഗ്ഗമെക്കുറിച്ചു ആലോചിച്ചുവരികയാണു്. ജപ്പാന്റെ ബോമ്പുകൾ ഇൻഡ്യയിൽ പതിച്ചുകഴിഞ്ഞു. നമ്മുടെ നില എന്തായിരിക്കുമെന്നു് ആലോചിക്കേണ്ടതുണ്ടു്. എന്നുപറയുമ്പോൾ കൊച്ചിയെമാത്രമല്ല ഭാരതത്തെക്കുറിച്ചാണു് ഞാൻ പറയുന്നതു്. ഒരു ആക്രമണം എന്നാണുണ്ടാകുകയെന്നുള്ളതു് നമുക്കാർക്കും വിചാരിക്കുവാൻകൂടി നിവൃത്തിയില്ലാത്ത ഒരു നിലയിലാണു് എത്തിയിരിക്കുന്നതു്. അങ്ങിനെ ജപ്പാന്റേയോ ഹിറ്റ്ലറുടേയോ ആരുടെയെങ്കിലും ഒരാക്രമണം ഉണ്ടാകുകയാണെങ്കിൽ അതിനെ ചെറുക്കുവാൻ സന്നദ്ധതകാണിക്കുന്നവർ ട്രഷറിബഞ്ചിലോ പ്രസിഡണ്ടു്സു് ഗാലറിയിലോ ഇരിക്കുന്നവരായിരിക്കയില്ല, സാമാന്യജനങ്ങളായ കർഷകന്മാരും തൊഴിലാളികളും മാത്രമായിരിക്കും. ഇതു ഞാൻ വെറുതെ പറയുന്നതല്ല. ഇന്നുവരെ നമ്മുടെ പരമശത്രുവായിരുന്ന സോവിയറു റഷ്യ ഇപ്പോൾ ഉറച്ചസ്നേഹിതയായി നിന്നു് ശത്രുവിനെ എതിർക്കുന്ന അനുഭവം നമുക്കു പ്രത്യക്ഷപ്പെട്ടുകഴിഞ്ഞിട്ടുണ്ടു്. അതുപോലെ ജപ്പാനെ എതിർക്കുവാനുള്ള സന്നദ്ധത കൊച്ചീക്കാർക്കുണ്ടെന്നു് ഇവിടെ പ്രകടിപ്പിച്ചിട്ടുള്ള സ്ഥിതിക്കു് അതിനുവേണ്ട പ്രചോദനങ്ങൾ നൽകുവാനും മറും ഈ ഉത്തരവു് പ്രതികൂലമായിട്ടുള്ളതാണു്. അതിനാൽ ആ ഉത്തരവു് പിൻവലിക്കേണ്ടതാണെന്നു് ഞാൻ അപേക്ഷിക്കുന്നു.

**Mr. Puthur Achyuta Menon** *(Kattur)* : Sir, As I have also tabled a motion of the same type I also wish to partake in the discussion on this subject. It was a few months back that we read in the Government Gazette a notification that has been made by the Government of Cochin banning processions and public meetings in the State but unfortunately the nature of the order was such that even a funeral or marriage procession was also banned. I do not know who was responsible for that. My humble submission to this House, Sir, is for what the Cochin Legislative Council has stood for the past so many years in the life of the Cochin Legislative Council is for the civic rights of the citizens of the State and when we find that the Government are at times attempting to check the civic rights of the people of the State it is something which any self-respecting man in Cochin cannot bear. I do not know what is the reason behind the ban at that critical moment. There may be explanations from the Government that the ban was justified at that particular moment. I don't quarrel with the Government for having introduced such a ban, against processions, even though I will say to my last breath that no Government has a right to curtail a man's civic right. My humble submission to this House at this moment is that I don't find any necessity to continue any ban. So I humbly request the Government in the name of the civic rights of the State which has been tampered with in the past and which I am sure will be tampered with by this Government in the future also, that there is no necessity for such a ban at present and that it may be lifted as early as possible. With these few words I support the motion with all the fervour that I can command.

* **Mr. E. Ikkanda Warriar** *(Cheruthuruthi)* : Sir, I wish to support this motion and in doing so I don't wish to traverse the grounds already covered. I only wish to point out to the Government that it is a wide sweeping order that the Government has passed. As my friend observed it does not make any difference between one kind of procession or the other. Even the schoolboys' procession, if they won a trophy in football, cannot be allowed. That is one aspect of it. Sir, we can imagine the difficulty and inconvenience the people will be put to if a marriage procession or a funeral procession will have to be taken out. It can only be done with the sanction of the Government. The other aspect is this. It is not restricted to any particular place. No procession could be conducted in the whole of Cochin State, whether it is here or in any other place. I am certain that the Government had absolutely no reason for passing a sweeping order affecting the whole of Cochin State. I am afraid that the Government even lost its head. I would even go to the extend of saying that it lost its head when it found some misguided boys going about one or two streets of Ernakulam. There was absolutely no incident anywhere in the State other than in one or two Streets of Ernakulam. How on earth can the Government justify keeping in the Statute Book an order like that for all this time. Free association, free movement and liberty of opinion, all these are the fundamental rights of the people and if encroached upon like that the consequences will be too hard for the Government to redress. I therefore submit that the order should be forthwith withdrawn (A voice: With

* Speech not corrected by the Hon'ble Member.

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repentence). Of course, they must be repenting now for having passed that order. I hope with repentence they will do it, and I may say, co-operate with the non-officials in helping you in maintaining order and peace in the whole country.

**Khan Sahib Y. Muhammad Roshan Sahib Bahadur** *(Commissioner of Police):* Sir, There was an incorrect reference to the so-called ban on processions. The Government have not exactly imposed a ban on processions. What they have simply ordered is that anybody who wants to take out a procession must apply for and obtain a license. I say one has only to apply for a license if he wants to take out a procession and I don't consider that it amounts to saying that processions are banned. Sir, this thing is not peculiar to this State alone. If we go to British India we will find that even a Police Officer—there it is not the Government—of and above the rank of a Deputy Superintendent of Police can promulgate an order under which any member of the public or any agency or party who wishes to take out a procession must obtain a license. Even in the city of Madras under the City Police Act every procession has to take out a license. The citizens of Madras have been taking out licenses for processions, whether it is marriage, funeral or otherwise. Even in the Civil and Military Station, Bangalore, which is under the administration of the Crown Representative, music has to be covered with a license. Any one who wishes to have music in a public place must have a license. In Madras or in any other part of the rural area if there is need in the opinion of the Government to have a control over such processions, the Government do promulgate such orders. People are taking out licenses for motor driving, selling tobacco, toddy, etc. It is simply the same here too.

You know the circumstances more than I do, under which this orders came to be promulgated here. What the order states is that anybody who wants to take out a procession must apply for and obtain a license. The local Police Officers can issue the license. There is no complaint that difficulties are experienced in obtaining licenses or that licenses are refused. After I came here I have had only one application in which license was not issued and that too on the second day of my taking charge. I did not issue the license because I could not get in touch with the applicant to give him the license in time. On the whole the idea of the Government is to have some sort of information about certain activities so much so the public safety is ensured. In places like Madras and Bangalore unless there is some such communication to the authorities, the authorities may not be responsible for what may happen. There might be communal parties, political parties or opposing parties and if they take out processions uncontrolled there might be a clash. In the public interests the Government have this order promulgated. It is not a ban. In Hyderabad also there is a similar rule. There the system is not exactly of licensing. The party who wants to take out a procession must apply to the Tahsildar a fortnight beforehand. If the Tahsildar has any objection, he will prohibit the procession within a week. If the Tahsildar has no objection he does not interfere and the processionists can take out the procession. That is a standing order for all time under the Defence of India Act. In other countries and even in Indian States there are similar orders. We have no particular reason to grumble against this order when it is known that it is all meant in the public interests.

As the position now stands, after the application which I mentioned, I have had this week two more applications. I have issued orders for issuing licenses for these processions. It is not stated that anybody applied for a license and experienced some inconvenience to get the license. I may say for the information of the members that licenses will be liberally issued. I may also submit that I will consider the suggestions made by the Hon'ble Members to see if it will not be possible to advise the Government to withdraw the existing order. But I have to watch for a short time more before I can definitely advise the Government in this matter. Now we are having a political horizon full of uncertainties. Political parties are having their policies in the melting pot. Before their policies take shape and before I know definitely what our local parties are going to do, I cannot advise the Government to remove this ban. But if within a month's time I find that there will not be any danger to the public interests and if I find that public safety and public peace can by no means be impaired by processions being permitted, then surely I will lose no time in advising the Government to cancel this order. I submit I cannot advise the Government to withdraw this order just now. But I can assure the House that the Government will duly consider the opinions given expression to in this House. The Government have noticed certain resolutions passed in meetings and the opinions expressed in certain papers also. I am just watching the situation and I can assure the House that the needful will be done at the proper time.

**Mr. A. B. Salem** *(Mattancheri):* Sir, I have heard with some regret the Hon'ble Police Commissioner's statement regarding processions. I have only to tell the Government that in

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Cochin we are having a National Government, a government for the people of Cochin by His Highness the Maharaja and therefore all the analogies of British India will not do here. What I say is our freedom of free association, procession and speech is dear to us and if it is touched, we are too touchy here. We want to give vent to our feelings. We don't want this system of licensing as in Hyderabad or anywhere else. We have been free here and we want to be free. This is a peace-loving country, an order loving country and a progressive country where we don't want your police control. Your police struck work. But we were living in order. *(Hear, hear).* We will make suitable arrangements to keep the peace. That is what we did in Mattancheri. We were all prepared to go into the street and patrol the street. There were many people to do so without being armed as your Police Constables. Therefore I request you—you are new to the country—to advise the Government to straightaway cancel this order. Suppose a man dies in Mattancheri and you are at Trichur. Do you expect us to wait till we get your license to bury the dead? No. We will take out the procession, come what may. We don't care. You are bringing clashes to this country. I therefore humbly request the government to cancel this order. Don't be afraid. Nothing will happen to Cochin. There will be no breaking of heads in Cochin. Please don't care if one or two heads break. Our head, not yours. *(Laughter).* There will be no clash. The Government need have absolutely no apprehension in these matters. Please leave things alone. Let us ventilate our grievances as freely as we can. I assure the Government that nothing will happen. I would request the Hon'ble Commissioner of Police to advise the Government accordingly.

**Mr. E. Ikkanda Warriar** *(Cheruthuruthi):* I move that the question be put.

**Mr. A. B. Salem** *(Mattancheri):* I second it.

**Rama Varmha Tampuran** *(Secretary to Government):* Sir,.....

**Mr. M. K. Devassy** *(Adur):* The Hon'ble Police Commissioner has once replied. I would earnestly request the Hon'ble Secretary not to have the cut motion talked out.

**Deputy President:** When the question is put the Government has a right of reply. What does it matter whether the Commissioner or the Secretary replies?

**Rama Varmha Tampuran** *(Secretary to Government):* Sir, I don't wish to take much time. I only just want to say one or two facts. The Hon'ble Members of the House are fully aware of the peculiar circumstances under which this notification had to be issued. Conditions were rather strange at that time and the Government felt that something like this was very necessary in the interests of the country's peace. The very fact that the Government introduced a notification like this only at a critical moment shows that the Government had no idea of curtailing the ordinary liberties of the people. One point also must be noted. Two notifications were issued simultaneously, one regarding the holding of meetings and the other regarding the taking out of processions. The first was for a period of one month and the second for six months. That will show that the Government was anxious to see that the inconvenience caused should be minimised as far as possible. They very well know the difficulties that would be caused by such notifications. They were not blind to all these difficulties. At the same time in the larger interests of the State and especially at times like this we found it necessary to enforce this notification. After all it is only a couple of months more for this period to run out. As the Commissioner of Police explained he is really watching the situation and there shall not be any apprehension that the Government will unduly drag on this notification. Therefore, the House may be completely assured that we do not want to carry on this notification a day longer than is absolutely necessary. It was enforced not only because of what happened here at Ernakulam, but because there were also certain other incidents that were going on in the other parts of the State about which I need not refer at this moment. It was in consideration of all these factors that the Government introduced a notification. I would therefore request the House that this motion need not be pressed and that it may be withdrawn. All that the members have said has been noted and the Commissioner has given an assurance that he is keenly watching the situation and that he will unhesitatingly recommend to the Government.....

**Deputy President:** The Hon'ble Secretary's time is up. Now, the demand must be put to vote.

Demand for Rs. 1,41,083 under "14-General Administration," put to vote and carried.

Demand for Rs. 1,936 under "10-General Administration, (Cranganur)" put to vote and carried.

*The House rose for the day at 5 p.m.*

K. S. RAGHAVAN
*Secretary to the Council*

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